



DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND
1333 ISAAC HULL AVENUE
WASHINGTON NAVY YARD DC 20376-2101

IN REPLY REFER TO

5720

Ser SEA 00A5/DON-NAVY-2017-004928F

June 6, 2017

Ms. Anne Revas
Bright Lights USA
145 Shreve Avenue
Barrington, NJ 08007

SUBJECT: YOUR FREEDOM OF INFORMATION ACT CASE DON-NAVY 2017-004928

Dear Ms. Revas:

This is a final response to your March 30, 2017, Freedom of Information Act (FOIA) request for parts and drawings as described in your request attached.

A thorough search of this Headquarters files was conducted, specifically those files located within the Acquisition and Commonality Directorate (SEA 06). Knowledgeable personnel with that office researched and reviewed the requested information the Navy Ships Engineering Drawing Repository (NSED) and determined that based on the Distribution D markings, it can only be released to the approved Department of Defense contractor that is currently working on that contract. Based on the information provided by you in your request, your company does not meet the criteria.

I considered your request under the FOIA, 5 U.S.C. 552, as amended, and Secretary of the Navy Instruction 5720.42F. While it is noted that this type of data has been routinely released to you in the past under the FOIA, the source of the technical data has changed and is now identified as "Distribution D." As such, I am denying the release of this data under exemption (b)(3). Exemption 3 requires the withholding of information prohibited from disclosure by another statute provided that the statute "(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue or (B) establishes a particular criteria for withholding or refers to particular types of matters to be withheld."

10 U.S.C. 130 and the Department of Defense (DoD) implementing directive, DoD Directive 5230.25, prohibit the disclosure of technical data with military or space application in the possession of, or under the control of, the Department of Defense, if such data may not be exported lawfully outside the United States with an approval, authorization, or license under the Arms Export Control Act. 10 U.S.C. § 130 is an exemption 3 statute.

Since the data you have requested is now prohibited from public disclosure for the reasons stated above, I am denying your request.

I am the official responsible for this decision. You may submit a written administrative appeal of my decision. Should you decide to file an appeal, it must be received within 90 calendar days from the date of this letter and should contain a copy of your original requests, a copy of this letter, and a statement indicating why you think your appeal should be granted. Attach a copy of this letter to the appeal and mark the appeal and the envelope, "Freedom of Information Act Appeal." Mail the original to the Department of the Navy, Office of the General Counsel, Attn: FOIA APPEALS, 1000 Navy Pentagon, Room 5A532, Washington, DC 20350-1000. Please mail a copy of the appeal to:

Commander
Naval Sea Systems Command (SEA 00A5)
1333 Isaac Hull Ave SE
Washington Navy Yard, DC 20376-1021

As an alternative to filing an appeal, you may seek Alternate Dispute Resolution (ADR). You may submit your request for ADR either to DONFOIA-PA@navy.mil or you can call the Navy FOIA Service Center at 202-685-0214 or via the following address:

Chief of Naval Operations (DNS-36)
Attn: FOIA/PA Service Center
C/O - Head, SECNAV/CNO FOIA/PA Program Office
2000 Navy Pentagon
Washington, DC 20350-2000

If you have any questions concerning the processing of your request, please contact Ms. Ginger Dolan, at 202-781-3359. I am the official responsible for this decision. You may submit a written administrative appeal of my decision.

Fees for processing your request were below the threshold for requiring payment; however, fees are assessed on a case-by-case basis and you may be charged fees on future requests.

If you have any questions concerning the processing of your request, please contact Ms. Ginger Dolan, at 202-781-3359.

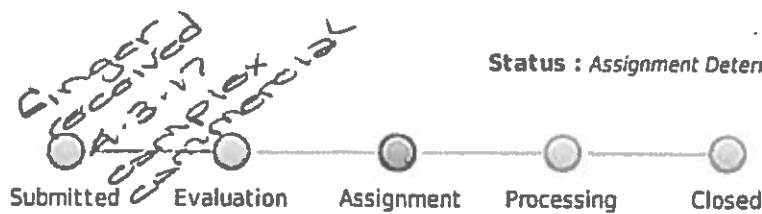
Sincerely,



JAVIER MARTINEZ
Assistant Counsel

Request Details
Request Type : FOIA

Status : Assignment Determination **Due Date : N/A**
🕒 0 (Never Started)



Request Details

Tracking Number : DON-NAVY-2017-004928	Submitted Date : 03/30/2017
Requester : Anne Revas	Last Assigned Date : 04/05/2017
Organization : Bright Lights USA	Fee Limit : \$100.00
Requester Has Account : Yes	Request Track : Simple
Email Address : anner@brightlightsusa.com	Due Date : N/A
Phone Number : 856-546-5656	Assigned To : Ginger Dolan (Naval Sea Systems Command)
Fax Number : 856-546-9191	Headquarters - Washington, DC
Address : 145 Shreve Ave	Last Assigned By : Donna Hamlin (Naval Sea Systems Command)
City : Barrington	Headquarters - Washington, DC
State/Province : NJ	
Zip Code/Postal Code : 08007	

Submission Details

Case File

Admin Cost

Assigned Tasks

Comments (1)

Review

Request Handling

Requester Info Available to the Public : <input type="checkbox"/> No	Request Perfected : <input type="checkbox"/> No
Request Track : <input type="checkbox"/> Simple	Appellate Authority : <input type="checkbox"/> OJAG14
Fee Category : <input type="checkbox"/> Other	Acknowledgement Sent Date: <input type="checkbox"/> 3/30/17
Fee Waiver Requested: <input type="checkbox"/> No	Unusual Circumstances ? : <input type="checkbox"/> No
Fee Waiver Status: <input type="checkbox"/> N/A	5 Day Notifications: <input type="checkbox"/>
Expedited Processing Requested: <input type="checkbox"/> No	Litigation : <input type="checkbox"/> No
Expedited Processing Status : <input type="checkbox"/> N/A	

NAVAL SEA SYSTEMS COMMAND
FREEDOM OF INFORMATION ACT OFFICE
REQUEST NO. DON NAVY 2017004928
DATE RECEIVED: 4 3 17
DATE DUE: 5 3 17
2017 F 000155

Request Description

Short Description : 2017 F 000155

Drawing #5190733

Please see attached request for drawings, all are subassy of part number 5190733, Circuit Card Assy. , with a NSN of 5998-01-195-3186, and a cage code of 53711, end application of this part number is CIWS, Thank you very much

Description Available to the Public : ☐ No

Has Description Been Modified? ☐

Additional Information

Case # :

Name of Local Command :

Contract/Sol.# :

Limit Request To Clearly Releasable Info : ☐ Select Limit Request To Clearly Releasable Info

Attached Supporting Files

No supporting files have been added.

Upload Supporting Files

No attachments have been added.